

Meeting of 1998-10-27 Special and Regular Meetings

MINUTES
LAWTON CITY COUNCIL
SPECIAL CALLED MEETING
OCTOBER 27, 1998 - 4:30 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

Mayor Cecil E. Powell, Also Present:
Presiding Bill Baker, Acting City Manager
John Vincent, City Attorney
Brenda Smith, City Clerk

The meeting was called to order at 4:30 p.m. by Mayor Powell. Notice of meeting and agenda were posted on the City Hall notice board as required by State Law.

ROLL CALL

PRESENT: G. Wayne Smith, Ward One
Richard Williams, Ward Two
Jeff Sadler, Ward Three
John Purcell, Ward Four
Robert Shanklin, Ward Five
Charles Beller, Ward Six
Stanley Haywood, Ward Seven
Randy Warren, Ward Eight

ABSENT: None.

PRESENTATION OF CITIZEN OF THE MONTH AWARD TO JERE BARNTHOUSE

Donna Richey, Mayor's Commission on the Status of Women, introduced Mr. and Mrs. Jere Barnthouse. She pointed out Mr. Barnthouse's volunteer efforts as follows: Leadership Oklahoma Class; helped develop Lawton's stormwater drainage ordinance; Certified Cities co-chair; Chamber of Commerce; Lawton Industrial Foundation; Lawton Pension Commission; Lawton Economic Development Task Force; chaired the Republic Paperboard Committee which resulted in a \$150 million plant; participated in efforts to obtain the DFAS Center at Fort Sill; Treasurer of the Lawton Economic Development Authority; Chairman of the Lawton-Fort Sill Co-op; Chairman of the Military Affairs Committee; United Way Treasurer; Cameron University Foundation; Salvation Army Advisory Board; County Excise Board; Mayor's Advisory Board on Community Development and redevelopment through tax increment financing. She said several economic development projects have come about recently and it is due to those who volunteer their time and effort, such as Mr. Barnthouse.

Mayor Powell presented documents from Senator Sam Helton, Congressman J.C. Watts, State Representative Ron Kirby, and read a proclamation from the City of Lawton. He thanked Mr. Barnthouse for his volunteer efforts to assist the community.

Mr. Barnthouse said everyone on the Council deserves an award such as this, as well as many others, and that he was humbled by the thought.

PRESENTATION TO "LAWTON LEGENDS" UNDER 14 TRAVELING RECREATIONAL SOCCER TEAM

Mayor Powell presented certificates from the State of Oklahoma and from the City of Lawton to the coaches and each team member present in recognition of their victory in the Ray Weger Memorial Tournament held recently in Lawton. Coaches and all team members individually gave their names and positions with the team. Coaches were John Daugherty and Jeff Gerrish; Team Members were Amber Armstrong, Lanita Baker, Erica Blanton, Shanika Brooks, Linsey Bumgarner, Mandi Covert, Kyla Fisher, Morgan Fulton, Nicole Gerish, Rebecca Harmon, Tanya Gamines, Kathryn Keeton, Nicole Myers, Elizabeth Rending, Katie Rogers and Angela Wilson. Mayor Powell encouraged continued participation in athletics and stated that skills learned in competition should carry through to daily living. He recognized Valli Covert as the manager for the team.

CONSIDER APPROVAL OF MINUTES OF LAWTON CITY COUNCIL REGULAR MEETING OF OCTOBER 13 AND SPECIAL MEETINGS OF OCTOBER 14 AND 20, 1998.

MOVED by Shanklin, SECOND by Haywood, for approval of the Minutes. AYE: Williams, Sadler, Purcell, Shanklin,

Haywood, Warren, Smith. NAY: None. ABSTAIN: Beller. MOTION CARRIED.

UNFINISHED BUSINESS:

1. Consider the following damage claim recommended for approval and consider passage of the resolution authorizing the City Attorney to file a friendly suit for the claim which is over \$400.00: Howard and Sharon Smith. Exhibits: Legal Opinion/Recommendation. (Resolution No. 98-181 on file in City Clerk's Office)

Vincent said at the September 22 meeting, Council directed the item be returned after re-investigation. Based on re-investigation, it was determined that there was work on the main sewer line that could have caused the claimants' problem. Staff recommendation was to approve the claim in the amount of \$718.

MOVED by Shanklin, SECOND by Smith, to approve Resolution No. 98-181. AYE: Sadler, Purcell, Shanklin, Beller, Haywood, Warren, Smith, Williams. NAY: None. MOTION CARRIED.

(Title only) Resolution No. 98-181

A resolution authorizing and directing the City Attorney to assist Howard and Sharon Smith in filing a friendly suit in the District Court of Comanche County, Oklahoma, against the City of Lawton; and authorizing the City Attorney to confess judgment therein in the amount of Seven Hundred Eighteen Dollars and 00/100s (\$718.00).

BUSINESS ITEMS

2. Consider approving a Request for Proposal (RFP) for an analysis of Lawton's Water System needs to meet future regulations and water demands. Exhibits: RFP.

Baker said during recent discussions on the capital improvements program, there were questions about the need and cost for projects pertaining to water distribution and treatment. At the September 22 meeting, Council directed staff to prepare an RFP to solicit proposals to analyze and evaluate Lawton's water system needs. Ihler and his staff have prepared the RFP which is before Council at this time. Baker said the RFP provides the City will receive proposals by December 4; proposals would go to the Engineer Selection Committee, and the City would not be in a position to award a contract, if Council desires that, until January 26, so there is some question about the timing and how it might fit into a spring election, if Council goes in that direction.

Jerry Ihler, Public Works/Engineering Director, offered to answer questions. Purcell said it is a good RFP but that he did not think this was what Council discussed; the proposed RFP is for a study. He asked if that was what Council wanted done. Purcell said he thought the RFP was to tell us how to solve the problem without going through a study, in other words, is there a need for a southeast water treatment plant. He said he realized there would be a need for somewhat of a study to determine that, but when Shanklin brought it up, he thought someone would take a quick look and tell us. Purcell said he had no problem with this, but a study would not help at all with what is needed in the next 30 to 60 days if Council is to move forward in this regard.

Shanklin said it is being called a study, but when proposals are submitted and the Committee meets to receive the proposals, the firms are going to tell the Committee what they think they can do and the dollars, and the City can accept one, two or three of them to come in and the firms would then be told to tell the City what they can and will do. He said it may be three engineering services or privatization firms, and the proposals will be sent to both, but a determination can be made at that time. Shanklin said Council had already decided, or felt it had, that the water treatment plant is not in the next go around for CIP, and asked if that was correct. Purcell said he did not know that Council had decided that.

Ihler said several alternatives were presented during discussion on capital improvements, and one alternative removed the southeast plant, but an official vote was not taken on the alternatives. Shanklin agreed and said Council could make a decision when the information is received. Shanklin said the I & I is funded up through 2000; Baker and Livingston have a plan to handle the I & I for the first seven years that will not hurt anyone. He said to him, the water treatment plant was a top priority in the \$60 million or \$80 million, but nothing will get started until spring anyway.

Shanklin said these firms will tell you what they can do to the two plants, and the size of a plant at 15th and Coombs Road. Mayor Powell said if we come out of this with a firm telling us the north or south plants are or are not usable, and also what the cost projection would be for a southeast plant, that is basically what is being sought, then Council can decide if it is needed and when, and go from there. Mayor Powell said it would seem to be fairly valuable information to have on hand.

Purcell asked if there was any estimate of what this will cost. He said he understood from the RFP that it is to select someone to do a study and asked if that was correct. Ihler said yes. Purcell asked if staff had an estimate of what a study of this magnitude would cost. Ihler said it depends on the details the consultants get into, and the proposals would show the detail, and he estimated it would cost in the neighborhood of \$100,000 for a study of this nature.

Ihler said when staff started writing the RFP, he understood the direction to be to ask consultants to look at the Medicine Park plant, analyze the systems and tell us what we can do to provide cost efficient measures to make it the most efficient plant possible to meet the future Safe Drinking Water Standards, to analyze the north plant and south plant, and determine the capabilities of those plants and whether we want to continue to invest money in the south plant, which is 67 years old. From that study or analysis, the next step, which would also be considered in the proposals, would be to look at what size

would be needed for a southeast plant, if any, depending on the results of the study. He said he understood Council's original direction was to seek proposals to determine how much it would cost to design, build, and do the southeast plant. The struggle staff had was asking someone to give a cost estimate for these items when they do not know what needs to be done until they do a study to determine that. He said that was why they went into the aspect of providing a study to analyze these things, and he did not know how a cost estimate could be requested for the size of the southeast plant and what needs to be done at the Medicine Park plant to meet future standards, without studying it through a proposal. Ihler said some of the proposals received may be very detailed, depending on the firm and how bad they want a project and they may actually do part of the study as part of the proposal in an effort to encourage Council to feel the firm knows what it is doing and wants the job to do the study. He said a firm may give \$30,000 worth of study, meaning they would put that many man hours into it, but another may submit a proposal saying they would put in \$150,000 in a study and do a more detailed analysis. Ihler said one thought was that through the RFP process, in order to give a consultant some kind of idea on what type of detail is desired, is to include a dollar figure in the proposal and tell the consultant we want them to give the City about \$30,000 worth of input on what should be done; the proposals themselves will mainly be the qualifications of the firms, and some may get more detailed than others, in an effort to win the job.

Mayor Powell said there was a cost projection of \$30 million during CIP discussions for the southeast water treatment plant. Ihler said that was correct and the \$30 million was not for the plant alone but it included the plant, five miles of 42" distribution main, three miles of 24" distribution main, engineering, and right of way; the plant itself was estimated at \$20 million approximately, but the overall project cost was \$30 million. Mayor Powell said that was good clarification. Shanklin said Council was not told that at that time and this came about after the fact.

Shanklin said when privatization of the wastewater plant was considered, three or four or five people came in and gave what they could do for the plant and that was how it was done. He said City staff bid it and Baker won it and the Council stayed with them; we did not have to pay them one dime and you will not have to pay these people one dime. Shanklin said he did not understand the consulting deal and that was not what they had discussed.

Mayor Powell said questions were asked by Council when the \$30 million figure came up as to whether it was a real figure and questions on mandates. He said he understood the Council to tell staff to get verification of the mandates and verify figures and that an attempt had been made to do that. Mayor Powell said two persons with one firm had asked to meet with him early on about a water treatment plant, they do all kinds of plants, and he met with them in his office and invited Shanklin. Mayor Powell said Shanklin did not ask to be invited but he invited him because he was not an expert on this but would call in people who are and listen so the best decision possible could be made. He said he heard the two people speak, there was no mention of charging for making a study and asked Shanklin if that was correct and Shanklin said yes. Shanklin said the RFP he gave to Baker showed the firms paying for plans on the plants. Mayor Powell said there was no mention of any money being spent during that meeting for a study or RFP. Mayor Powell said a treatment plant would be needed at some location at some point in time.

Ihler asked if the RFP should be pursued and a letter included stating the City is looking for valuable information from consultants and that it is open to anyone to look at and to provide valuable feedback, however, the City is not intending to pay for the information. Baker suggested if Council wants to proceed, the RFP has been written; if there is a firm that will respond to the RFP and not charge the City anything and provide a 30-60 day study, then if they are out there, they will be invited to submit a proposal and can do that through the RFP. He said if we had a firm like that where it would not cost the City anything, then Council can decide at that time whether or not to let them do that work. Baker said it can be pursued through the RFP and it would be to the City's benefit if firms will do it for no cost. He said if the proposals say they will do it for no charge, those would probably be pretty good proposals.

Williams said he would have to question the firm that would expend that kind of man hours and not charge the City a fee. He said he would also then have to question what the document is worth that was received if it cost nothing. Ihler said some may put more effort in it than others and provide more detailed information, and that staff would welcome second opinions. Shanklin said it should then be written in that manner and that he did not want another \$23 million fiasco like at the wastewater treatment to happen here just because staff said to do something. Shanklin said in 1986, staff wanted to tear down the south plant and that Ihler was on the staff at that time, and Council did not agree to tear that plant down and it would have cost \$15 million for a southeast water treatment plant, so this has been going on for 12 years and he recently heard there was an electrical problem, so evidently the south plant was not dead in 1985 when staff said it was and the City Manager said it was and that he did not want to see that happen again.

Ihler said staff never said it was dead but did say that there is a risk in relying on a 65 year old plant, and back then it was a 55 year old plant; staff never said it could not produce water. He said the question was how long you wanted to continue to take that risk. Shanklin said he remembered well that staff wanted to build a southeast water treatment plant so staff at that time let the south plant deteriorate. Shanklin said the south plant needed concrete work to keep it from sloughing off and it was finally repainted. Ihler said funds were spent for a rehabilitation program. Shanklin said it was painted without having had the concrete pointed up, then they had to come back and do it again because staff was not going to make it work. Shanklin said companies are out there and if he would not have known that, he would not have done this, and the companies want a chance to come in and design, build, finance and staff it or any one of the four. Shanklin said we have blown \$15 million and should not do it again without a second opinion.

Williams said the document presented tonight requires very little cost to be sent out and hopefully some responses would be received, but Council should be aware there will be some price tag. Shanklin said he was saying there will not be and if there is, he would stop talking. Williams said it was not a price tag due to this initial request, but Council should be

prepared that if they want that particular consulting group or contractor or entity to go further into the project and identify hard numbers, then they will have to expend time and there will be an expense. Shanklin said the expense would be if you hire one and they design it and that is all they do of the four elements, then yes, there would be an expense, but they will tell you what you can do and Council may not even like it.

Warren said he had no problem going out with the RFP but would state up front that he did not plan to vote to spend a dime. He said Lawton has the finest staff of engineers and people who know what we need and what our capabilities are in-house and it is an exercise in futility, but as long as there is no cost, he had no problem with it.

Smith said he agreed with Warren and did not think we needed to be insulting staff all the time. He asked if the water treatment employees had received awards for their work. Ihler said Lawton had received runner up a couple of times in EPA Region Six with regard to being the best maintained and operated plant in the five state region. Smith said he would support it as long as there was no cost.

Haywood said he would agree to pursue it at no cost and Mayor Powell asked if that was a motion.

MOVED by Haywood, SECOND by Smith, to pursue the RFP at no cost.

Shanklin said staff is worried that the Council is trying to privatize this and that he had told them point blank that he had no desire to privatize it but that is their fear and Council is not going to do that or he did not see how they would do it.

Baker asked if the RFP was to be sent out indicating we do not plan to pay anything for it or should that be left out and see if some come in at no cost. Williams suggested it be sent out the way it is written.

Shanklin said we need to find more people in the privatization arena than the people who pour concrete and lay steel, and there is one that he knew of and that was Professional Services Group (PSG). Ihler said several of the engineering consulting firms on the list team up with operation firms, as an example, PSG was an operations firm and Metcalf and Eddy was their engineering design firm, but PSG purchased Metcalf and Eddy and they do both; CH2M Hill has a subsidiary firm called RMI that does operations. Ihler asked if the RFP should be sent to both groups. Williams said if it will be advertised in papers and sent to these groups, the word would get out.

Mayor Powell said to clear the air, it was asked by those folks there that we wanted numbers indicating with and without, and that he had no intentions whatsoever of doing away with one staff member or employee in the entire City of Lawton and that he wanted that clarified and it was asked if it could be defined in that manner and they were assured it could be.

Mayor Powell said there is a motion and second on the floor to send out the RFP without cost. Williams said they are not going to say anything regarding the cost. Mayor Powell said comments were made that they wanted no cost associated with this and to send it out the way it is written. Shanklin said the way it is written, 99.9% of them think they will make a study and charge from \$50,000 to \$300,000 but there are three or four of them that he would see to it that they do not to prove a point.

VOTE ON MOTION: AYE: Purcell, Shanklin, Beller, Haywood, Warren, Smith, Williams, Sadler. NAY: None. MOTION CARRIED.

3. Consider adopting a resolution amending Resolution 98-34 condemning the structure at 811 SW E Avenue, Lawton, Oklahoma, allowing additional time to obtain a permit to renovate the structure. Exhibits: Resolution No. 98-182.

Dennis Woommavovah, Code Administration, said Mr. and Mrs. Bishop requested this action at the last Council meeting and staff was directed to return the resolution. The Bishops applied for a building permit but it expired after six months during which time Mr. Bishop had been out of town due to his job and therefore requested additional time.

MOVED by Shanklin, SECOND by Smith, to approve Resolution No. 98-182 amending Resolution 98-34 allowing the property owner 15 days from the date of this resolution to obtain a permit to remodel the structure at 811 E.

Williams asked if Mr. Bishop would be able to finish the work in this next six months time frame and response was that Bishop indicated he could finish because he had two months left on his job in Davis.

VOTE ON MOTION: AYE: Shanklin, Beller, Haywood, Warren, Smith, Williams, Sadler, Purcell. NAY: None. MOTION CARRIED.

(Title only) Resolution No. 98-182

A resolution amending Resolution No. 98-34 condemning the structure at 811 SW E Avenue, Lawton, Oklahoma.

4. Consider taking action on the Oklahoma Department of Transportation (ODOT) response to the City of Lawton request for reconsideration of a left turn bay and median opening at 205 SW Sheridan Road and provide guidance to staff. Exhibits: Letter from ODOT dated March 5, 1998; Letter to ODOT dated July 30, 1998; Letter from ODOT dated October 2, 1998.

Williams said the last letter from Bob Rose offered to return control of Sheridan Road to the City of Lawton, which would allow Council to consider requests for traffic control. He suggested that be considered.

Mayor Powell said he spoke with Rose due to concerns about Lawton dealing with ODOT. He said when 82nd Street is completed, the thought is that Sheridan Road would cease to be part of the State system and would be returned to local control. Mayor Powell said if it is returned now, and something happens in the next two years requiring maintenance, he did not want the City to have to be responsible for that if the State could be and suggested it remain with the State for that reason. Mayor Powell said Rose's letter appears to indicate a willingness to return it to Lawton now but the State would continue to do the maintenance.

Beller asked what the State was doing today to maintain Sheridan Road. Mayor Powell said he did not know but was concerned about what could happen. Beller said his point was the State is not maintaining it now. Mayor Powell asked Bigham if that was correct and Bigham said the State is responsible for it. Beller said the responsibility part is a play on words and asked who was actually maintaining it. Purcell asked if the City mows the grass and Beller said yes.

Mayor Powell said Rose indicated ODOT would continue to work with the City of Lawton even if they gave permission for the City to do anything it wanted with Sheridan Road from the date the decision is made, and ODOT would rather have that instead of sending something asking for their opinion and then not listening. He said Rose stated firmly that ODOT's goal, as far as a highway, is to flow the traffic as safely as possible but Lawton is then asking for U Turns and Left Turns and things of that nature which is exactly opposite from their means of thinking.

Williams said that sounded fine and asked if anything was planned as far as a major project in the near future as it related to Sheridan Road. Vincent said Rose's letter offers that he would draft an agreement and send it to the City for official action. He suggested a proposed agreement be requested so the City would know what was involved. MOVED by Beller, SECOND by Purcell, to ask ODOT to draft the agreement pertaining to Sheridan Road, Highway 7.

Beller said Hinds' letter previously seemed to ask for Rose's concurrence of the staff position so it may be better to ask that the Traffic Commission and Council be given authority to make decisions. Mayor Powell asked Bigham how many highways are coming up in the next five years that ODOT has something to do with that would affect Lawton. Beller said he hoped ODOT would not hold this against Lawton or refuse to do 82nd Street and Mayor Powell said he did not intend to imply that.

VOTE ON MOTION: AYE: Beller, Haywood, Warren, Smith, Williams, Sadler, Purcell, Shanklin. NAY: None. MOTION CARRIED.

5. Receive status report on the proposed agreements with the City of Geronimo for the sale of treated water outside the City limits and take appropriate action. Exhibits: Draft Water Sales Agreement; Draft Pro-Rata Cost Agreement; Location Map.

Baker said the City of Lawton has been working with the City of Geronimo since 1991 on the feasibility of supplying treated water to the City of Geronimo. There have been various memorandums of agreement, a contract which was later rescinded, then another MOU. Decisions will be needed fairly soon on whether to proceed; one key issue is the difference in cost between a 12" and an 18" line. Geronimo has agreed to pay for the difference between an 8" and a 12" line by means of a reduced water rate over a period of time; however, Lawton indicates a need for an 18" line for future growth. Cost difference between the 12" and 18" line is around \$250,000 to \$300,000.

Bob Bigham, City Planner, presented a map showing the southern edge of the City limits, I-44, the end of the City's water system, Chem-Pac and the wholesale distributors. He pointed out the proposed connection point for the 18" water line as it runs down 11th Street to the southwest corner of Tinney Road, the City's landfill, and the proposed location of the master meter at the southern edge of the landfill. He said the line would be constructed by Geronimo and dedicated to the City of Lawton.

Bigham said at the February 16 Outside Water Committee meeting, cost sharing was discussed and two agreements were drafted; one for typical water sales and the other for cost sharing. He said Geronimo would construct the 18" water line to the south edge of the landfill; estimated cost for this project is \$805,000. The City of Lawton would reimburse the difference between the estimated cost of the 12" line and the 18" line in the amount of approximately \$245,000; Lawton would provide a reduced water rate for the first 207 million gallons sold to Geronimo to help offset the cost difference between the 8" line that Geronimo needs for its water supply, and the 12" line which is the minimum size needed on a section line road. Bigham said the draft agreements in the packet have been given to Mr. Neuwirth, Geronimo's attorney, who is present. Myers Engineering, from Oklahoma City, is Geronimo's consulting engineer. Lawton has not identified a funding source for the project.

Shanklin asked for Baker's opinion. Baker said the engineers say the 18" line is needed for future growth and development; the cost of the additional capacity is significant and in light of Lawton's current financial situation, he did not know where \$250,000 would come from. Baker said in the long term, it would be wise to put in the 18" line and you could not forecast the amount of growth in the area. Shanklin asked when staff was projecting the 18" line would be used.

Ihler said the recommendation for the 18" line is for current fire flows; the minimum ISO fire suppression schedule requires 1,000 gallons per minute fire flow in the City limits, so with Geronimo's demand on the system, it came out to require an 18" line. He said the main reason for staff's recommendation is that there are four or five homes between the landfill and the airport, as well as the Oklahoma Department of Transportation maintenance building, that we presume would tie on to this system and to provide them adequate fire flows with the proposed demand of Geronimo, it would require in the neighborhood of an 18" line. The 18" line will also allow for future growth, but the main reason is for the fire

flows.

Williams asked if Geronimo was receiving a grant for the project. Bigham said it would be a grant and a Water Resources Board loan. Williams said if Lawton needs the 18" line, then Lawton should pay for it, and Lawton is better off selling more water, although he did not know how much growth there would be in the area and perhaps the money would be better spent in other places.

Purcell said he did not know where Lawton would find the \$245,000 but agreed Lawton should be a good neighbor and sell water. He said the problem is selling water at sixty-six cents, and at that rate, the City will drive itself into bankruptcy. Purcell said he could agree to the \$250,000 but not the sixty-six cents rate when it costs over a dollar to produce.

Warren said there was discussion about an advantage to looping the 18" line. Bigham pointed out the Wackenhut prison on the map; Wackenhut is fed from a water line down 45th Street, so that would provide the possibility for a looped system. Warren said the City of Lawton has never had water to the landfill, which is a big need, and that Bigham had previously provided a cost estimate on Lawton running an 18" line to the landfill. Bigham said Myers' estimate to run an 18" line between two points is \$805,000. Warren said Lawton would be getting an \$800,000 line for \$300,000, so it is not just being a good neighbor.

Bigham said the sixty-six cents per thousand rate is only for the first 207 million gallons sold to Geronimo. Purcell asked how long that would take. Bigham said looking at their 1997 usage, it would take about six and a half years, so when you look into the reduced rate, you should add that discount into what it is costing the City of Lawton. Bigham said the compromise recommendation from the water committee was to meet all the objectives.

Shanklin said he took umbrage with the fact that we want an 18" line to fight fire when we had 37 homes for how many years we do not know where we could not fight fires, nor at the OSBI or at Mike's Sports Grill, then we come up with money for a line for those folks. He said Council was told there are other places in town where we cannot fight fires but it is a secret because that information was requested over a year ago and it has not been provided. He asked which one was a lie and if there was really a need for that line that was put in for Council Heights. Bigham said those numbers came up during a building permit review. Shanklin said Lawton needed to spend the money for the other places in town where we cannot fight fires. Shanklin said he was on the outside water sales committee and did not support this and that he had changed his mind.

Williams suggested Lawton continue to work with Geronimo, and that Geronimo only needs an 8" line. He asked if a 12" line would be adequate aside from fighting the fires. Haywood said if a line is to be put in, it might as well be 18". Warren said Geronimo has the funding to do this with a smaller line without Lawton's participation, and the reason for the deal was to save money and have a large enough line in the beginning.

Williams asked Bigham to point out the location of a proposed southeast water treatment plant and that was done.

Baker said the Finance Director is prepared to address the funding source and he asked the City Attorney if Lawton had any legal commitment to Geronimo. Vincent said Geronimo has been seeking funding and grants based on a reliance on the vote of the outside water sales committee, although it was understood that Council approval was required. Vincent said at the southwest corner of the wastewater treatment plant, which is basically the south City limits line, there is a legal requirement for a minimum 12" line to go to that point. Warren asked if that is due to City Code. Vincent said yes, and he would hesitate to change the code now because developers had been required to put in such lines based on those requirements.

Williams asked how far away they were in reaching an agreement with Geronimo. Neuwirth said they are very close and they could do the 12" line. Neuwirth said they had applied for the grant and loan and expected approval of both. Williams said he could support a 12" line.

Beller said the outside water sales committee made a recommendation and he felt Council should proceed in that direction because it was more or less a commitment and it should be fulfilled. He said he felt a line to the landfill would cause a very large savings in maintenance costs on the expensive equipment.

Shanklin suggested it be tabled until they find out what they will do with a southeast water treatment plant; if one is built, a line can come from that direction at a lesser cost and possibly a smaller line. Warren said there is a time constraint that will not allow for the building of a water treatment plant. Vincent said OWRB had issued an order to Geronimo to get off the well system and get on a system of treated water. Neuwirth said that was correct and he did not know a time limit.

Beller said Lawton has the water to sell and should proceed, but that he did not favor the sixty-six cent rate. Discussion was held on water treatment and maintenance costs and the price to be charged for the sale of the water. Williams said Geronimo may have a better offer from Walters to buy water, then Lawton would not get to sell any. Shanklin said Lawton would be selling 207 million gallons over six years.

Vincent said he and Neuwirth needed to know how to proceed in finalizing an agreement; whether the 12" line with a sixty-six cents pay off should be included and drop the 18" line; or go with the 18" line and identify a funding source before entering into a contract. Shanklin asked if Geronimo would pay the \$1.10 rate. Vincent requested direction on what numbers to put in the draft agreements, and said that Geronimo is required to put in a 12" line to the southwest corner of

the landfill. Shanklin asked if they could have a 6" line from there to Geronimo and Vincent said it must be an 8".

Beller suggested the two attorneys be asked to work out an agreement rather than tabling it.

Warren said Geronimo wanted to put an 8" line from the Lawton city limits to Geronimo and response was no so they worked out the deal of the sixty-six cents per thousand to get the size of the line from 8" to 12". He said if 12" is preferred, Lawton has to sell Geronimo water at sixty-six cents or sell it at the regular price and Lawton pay the difference of \$200,000. Shanklin said Lawton should not have to spend any money. Warren said that is required to make this happen.

Purcell said he would agree to a 12" line but not for Lawton to pay to put in a 12" line, nor accept the sixty-six cents. Bigham said the usual outside rate is \$1.61 per thousand. Haywood said a long range plan should be looked at instead of a short range plan so it does not have to be done over; he asked Bigham if he recommended an 18" or 12" line. Bigham said it should be 18" for fire flows and growth. Williams said Lawton is not responsible for providing fire protection outside the City limits. Vincent pointed out the area of developable land that is within the City limits. Mayor Powell asked if it was in the flood plain.

Purcell asked if another line could be run if a southeast water plant is ever built. Bigham said lines could be looped which possibly could supply fire protection flows. Ihler said the intention with the southeast plant was to take the 42" line from the plant west, eventually down Bishop Road and tying in near Sheridan Road and Lee Blvd. Ihler said they did not model what it would do to pressures further south.

Warren asked if Council was saying to tell Geronimo they can build the line and Lawton will not participate at all. He said the loan and arrangements have been predicated on the involvement by the City of Lawton through the sixty-six cents or the cost difference between an 8" and 12" line. Shanklin said a committee cannot obligate Council. Warren agreed and said everyone should understand the option that is being given to Geronimo. Shanklin suggested the 12" line be installed and Geronimo pay \$1.61 per thousand. Williams said Lawton could build the line and charge Geronimo the going rate.

Vincent asked if the direction was that from the connection at I-44 south to the south side of the sewer plant is a 12" line to be built at Geronimo's cost, and the water rate is the going rate for outside water sales. Purcell said that was not exactly what he thought, and he thought the reason it was going to cost \$245,000 was because from I-44 down to the south corner was to be an 18" line and because of that, Lawton would have to pay an additional \$245,000; if it is only a 12" line, why is there the additional cost. Vincent said as the outside water sales committee directed, he and Neuwirth had been working on an agreement that would offset the cost difference between the 8" line that is required by Geronimo from I-44 to the south side of the landfill, and Geronimo would borrow the extra money needed to upgrade the line from 8" to 12" from OWRB and pay that off with the price difference between sixty-six cents per thousand and what they would charge their residents. Purcell asked if an 18" line is another \$250,000. Vincent said yes, and Lawton would pay for that portion up front.

Neuwirth said the discussion is to build a 12" line for several miles at Geronimo's expense, and the line would be dedicated to the City of Lawton; Lawton wants fire plugs put in and wants to sell water, but it won't be Geronimo's, it will be Lawton's. He said Geronimo needs an 8" line and would like to put it in and has a grant to do that and they can buy water at whatever it costs, but the City of Lawton will not let them have an 8" line and requires a 12" line, and that is where the deals came about. Neuwirth said all the revenue from the 12" line will go to the City of Lawton, and all the fire plugs will be for the benefit of the City of Lawton, and it will be the City of Lawton's line and not Geronimo's, and that seems to have been overlooked in the conversation.

Mayor Powell said it seemed logical for Lawton to pay for the additional four inch capacity, and the choices would be for Geronimo to be charged the outside, going rate and pay for the line, or to grant a reduced rate until the amount is repaid.

Purcell asked why Geronimo could not build an 8" line from a point on out to their town. Vincent said it would require a code change and developers are required, when building on section line roads in a grid line, to build a 12" line.

Shanklin said he would not vote to sell water to someone who lives in the county cheaper than what Lawton residents pay. Mayor Powell said the statement was they could be charged the regular outside rate. Shanklin said the going rate in Lawton is \$7 plus for the first 2,000 gallons. Mayor Powell said he would think it is higher outside the City limits than it is inside. Bigham said the outside rate is \$12.84 base rate plus \$1.61 per thousand gallons. Shanklin asked if that is for one meter and Bigham said yes.

MOVED by Warren, SECOND by Smith, to have the attorneys get together, write up another agreement providing that the City of Lawton provide funding for the difference between the 8" and 12" line and that Lawton participate in that amount of funding.

Steve Livingston, Finance Director, said the City Manager had asked him to look at funding possibilities. He said the outside water committee discussed use of 1995 CIP funding, and there was \$752,000 in July that was not appropriated and at the end of September it is about \$800,000, and they like to keep some funding due to major programs that are going on that may have change orders. Livingston recommended funding from the 1995 CIP.

Warren said he would include in his motion that funding be provided from the 1995 CIP during the attorneys' discussions. Mayor Powell asked if that would be for the difference in the 8" and 12" lines. Williams asked if the 1990 CIP had enough

left for this. Purcell suggested the funding source be identified when the contract is returned. Warren agreed that the funding source be returned when the contract is returned and Smith agreed as the second. Vincent asked for clarification that the difference between the 8" and 12" will not be funded through reduced rates but through cash and response was that this was correct.

VOTE ON MOTION: AYE: Haywood, Warren, Smith, Williams, Sadler, Purcell, Shanklin, Beller. NAY: None. MOTION CARRIED.

ADDENDUM ITEM:

1. Discuss the 1/4% county sales tax election proposition on the November 3, 1998, ballot to support a Jail Facility and take appropriate action. Exhibits: Minutes Excerpts of 12/9/97 and 9/1/98 Council Meetings.

Shanklin said he requested the item after he read an article in the newspaper Sunday morning and received two or three calls asking why he was supporting the 1/4% sales tax. He said his response was the Council did not vote to support the sales tax but voted for the concept of a city-county jail at some time in the future. Shanklin said a 1/4% sales tax in ten years would generate \$16 million and possibly \$5-\$6 million may be used for operations, which would be needed forever. He said the County Commissioners are not in total support and Chamber of Commerce has not voted to support this. Shanklin said there are many options but the Council did not have enough input. He said it is too big of a project to hire someone and have them simply tell you it is \$11 million and 1.7 times the beds at Wackenhut. Shanklin said the man told Council more things go into a jail than into a prison but that he had gone through the prison and could not see how it could be much different. He said he could not see passing a sales tax for a jail but not passing one for a junior high. Shanklin said he wanted it shown on the record that he could not support the issue and had not supported it previously.

MOVED by Shanklin, that Council not endorse the sales tax. (Second was not received.)

Mayor Powell said he was called and asked to make a statement, and for clarification, he asked the Chief of Police to come forward during the joint meeting with the County Commissioners and the Chief of Police indicated his support. Mayor Powell said it was his understanding that the Chief of Police and City Council did accept the concept of a joint city-county jail, and that was what his statement was and that he did not personally go on record supporting it as far as sales tax or not, so he wanted to clarify his position.

Warren said he had no problem with the concept of having a combined facility, and was not sure either entity should be in the jail business, and perhaps it should be contracted out. He said he was looking at the ballot wording, and when you add up the City's budget and the County's budget, there is a shortfall, and that shortfall will be funded from the sales tax. Warren said the concern is what will happen when the sales tax is up, and he would be more comfortable being asked for a 1/4% sales tax open ended forever to fund a jail because it would at least be honest. He said no one thinks things will be different in ten years and the money will be needed then also, because if it takes it to run it now, it will take it then also, and that is a concern.

Williams said his understanding of the joint meeting when the question was posed to the Commissioners was a number of beds would be contracted out to entities such as the Marshal's Service or the State of Oklahoma to help offset that shortfall Warren mentioned. He said he supported it personally but it will be decided on election day.

Warren said his real concern was with the funding of operations, and if the City enters into an agreement with the County to house prisoners, in essence, Lawton residents would be taxed to house prisoners in the 1/4% tax, but also through the operation of City government since part of those funds will go to the County also to take care of the prisoners. He said he did not know it was right that Lawton citizens should be taxed twice to fund the operation.

Purcell said everyone agreed to the concept of a joint city-county jail at the joint meeting, and while there was not a vote to support the 1/4% tax, it seemed to be almost implied that Council would support something due to the obvious need for the jail. He said he had a problem as to whether it needed to be 1/4% and agreed with parts of Warren's comments because there will be more money in the 1/4% than to just build the jail. Purcell said the ballot states the surplus would be used for operating the county jail; the problem is when the tax runs out in 2008, they will lose those funds to operate the jail but that would be the county's problem to work out. He said he could support some increase because everyone knew the need for a new jail.

Shanklin said he had made a motion, and the question is whether you support an \$11 million prison at the say so of one individual when you have had no input out on Bishop Road, it is not reasonable because Council as a body has not had any input at all. He said \$11 million is ludicrous and he did not think the media would support it.

Warren said he had a letter from Wackenhut that he tried to talk about during the joint meeting and reviewed it briefly as follows: Wackenhut Corrections Corporation would like to meet with the City of Lawton and County representatives to discuss the possibility of a design, design-build-finance-operation of a city-county jail. He said in a conversation, Wackenhut indicated they would be glad to do any or all of those things in combination or individually. Letter view continued: We're very confident we can be helpful to the Sheriff and your community in planning a new facility. We find it is often possible to save as much as 20% to 30% on construction using our fast-track construction approach, and it is also possible to save as much 10% on operational costs. We're anxious to continue this excellent public/private relationship we have established with the Lawton community. Signed by Claude Schuler, Vice President of Business Development (end

letter).

Warren said the other thing mentioned on the phone was that there is the substantial ability to save extra money because they have crews on the ground right now to include cranes and equipment, so that really should be looked at as citizens. Purcell said the money would still be needed even if that route were selected, so there would be a need for 1/4% or 1/8% or something. Warren agreed there is a need for money but feared having to do this all over. Shanklin said it was put on the ballot at the request and demand of the Fire Marshal but it did not allow for adequate input.

MOVED by Williams, SECOND by Smith, to provide support for this county wide sales tax election proposition for the support of a new jail facility. AYE: Smith, Williams, Beller. NAY: Warren, Sadler, Purcell, Shanklin, Haywood. MOTION FAILED.

CONSENT AGENDA: The following items are considered to be routine by the City Council and will be enacted with one motion. Should discussion be desired on an item, that item will be removed from the Consent Agenda prior to action and considered separately.

6. Consider the following damage claims recommended for approval and consider passage of the resolutions authorizing the City Attorney to file a friendly suit for the claims which are over \$400.00: Gene and Otha Elkins; George Lockhart; and Christina Onan. Exhibits: Legal Opinions/Recommendations. (Resolution Nos. 98-183 and 98-184 are on file in City Clerk's Office) Lockhart: \$75.00.

(Title only) Resolution No. 98-183

A resolution authorizing and directing the City Attorney to assist Gene and Otha Elkins in filing a friendly suit in the District Court of Comanche County, Oklahoma, against the City of Lawton; and authorizing the City Attorney to confess judgment therein in the amount of Two Thousand One Hundred Fifty Dollars and 00/100s (\$2,150.00).

(Title only) Resolution No. 98-184

A resolution authorizing and directing the City Attorney to assist Christina Onan in filing a friendly suit in the District Court of Comanche County, Oklahoma, against the City of Lawton; and authorizing the City Attorney to confess judgment therein in the reduced amount of Seven Hundred Fifty Dollars (\$750.00).

7. Consider approving a resolution in support of the passage of State Questions 680 and 681 encouraging the advancement of technology and research at the Oklahoma state colleges and universities and authorize the Mayor and City Clerk to execute the resolution. Exhibits: Resolution No. 98-185.

(Title only) Resolution No. 98-185

A resolution supporting the passage of State Questions 680 and 681 encouraging the research and development of technology.

8. Consider approving the construction plat for Skyline East Commercial Addition subject to conditions. Exhibits: Location Map; Memorandum from Engineering. Action: Approval of construction plat subject to the following conditions: 1) Obtain Oklahoma Department of Environmental Quality permits for water and sewer improvements; 2) Acceptance for public dedication by the City Council of an existing sewer main and a proposed water main located outside the platted area. The proposed subdivision improvements will connect to these mains.

9. Consider approving the record plat for Hunter Hills Commercial Addition. Exhibits: Plat Map. Action: Approval of item.

Background: Hunter Hills Commercial Addition is located at 7517 NW Cache Road and consists of two commercial lots fronting on Cache Road. The developer is Dr. Gilbert Gibson; consulting engineer is Landmark Engineering. The lots have access to permitted water and sewer and front upon a publicly dedicated street; therefore, no construction of improvements is anticipated with this subdivision. LMAPC on 10/14/98 approved the record plat subject to conditions. At this time all conditions have been met. LMAPC also granted a variance to Section 21-503A.1.b deleting the requirement for a 12-1/2 foot utility easement on the east lot lines of Lots 1 and 2.

10. Consider approving the record plat for Sneed Acres, Part 5, and accepting improvements for public dedication, maintenance bond, money in lieu of park land dedication, and easements outside the platted area for utility and drainage purposes. Exhibits: Plat Map. (Maintenance Bond and Easements on file in City Clerk's Office) Action: Approval of item.

Background: In 1984 Frank Sneed commenced a small subdivision consisting of three single-family residential lots on approximately one acre. This subdivision is located west of the existing Sneed Acres Addition on an extension of Mimosa Lane. Mr. Sneed constructed a street and cul-de-sac and the water improvements to serve the lots. However, the subdivision was not completed in the form of a record plat prior to his death. In April 1998, Mr. Steve Barnes and Mr. Sam Johnson, attorney for the estate, approached the Planning Department with the proposal to construct any outstanding improvements, prepare as-built plans, and prepare a record plat for the incomplete Part 5. The City Engineering Division reviewed the construction plans submitted by Landmark Engineering which consisted of an extension of a sanitary sewer with manholes and the addition of one fire hydrant and found the plans to be in substantial compliance with the Code. On July 22, 1998, LMAPC conditionally approved the construction and record plats for this subdivision.

The improvements have been constructed and inspected for compliance with the approved plans. The Engineering Division

has also reviewed the record drawings and easements outside the platted area and recommends acceptance. All fees including a payment of \$365.62 in lieu of park land dedication have been received. All the conditions established by the LMAPC have also been met.

11. Consider rescinding Council Policy No. 53. Exhibits: Council Policy No. 53. Action: Rescind Council Policy No. 53 (Housing Assistance Loan or Grant Applications on Structures Pending Condemnation)

12. Consider awarding a construction contract to Sooner Scale, Inc. for the Landfill Scale Project 98-7. Exhibits: None. Action: Award a construction contract to Sooner Scales, Inc. for the Landfill Scale, Project 98-7, in the amount of \$43,800.00.

ITEM 13 WAS CONSIDERED SEPARATELY AS SHOWN BELOW.

14. Consider approving contracts with Dr. Terri Baker and Dr. W.S. Penn to present Native American Writers' Weekend activities on January 29 and 30, 1999. Exhibits: None. Action: Approval of item.

15. Consider awarding contract for metal products. Exhibits: Vendor's Mailing List; Bid Tabulation; Recommendation. Action: Award contract with the exception of Item 1, Section A & B, to Larrance Steel Corporation.

16. Consider awarding contract for data/telemetry radios. Exhibits: Vendor's Mailing List; Bid Tabulation; Recommendation. Action: Award contract to Southwest Communications.

17. Consider awarding contract for demolition of 814 & 814-1/2 SW "H" Avenue. Exhibits: Vendor's Mailing List; Bid Tabulation; Recommendation. Action: Award contract to Beaver Creek Tractor.

18. Consider awarding contract for Fire Department Uniforms. Exhibits: Vendor's Mailing List; Bid Tabulation; Recommendation. Action: Award contracts to: Casco Industries, Inc.; J.B. Battle Uniform Company; Sportswear and More; Tuxall Uniform & Equipment.

19. Consider extending contract for symbols and roll goods. Exhibits: Vendor's Mailing List; Bid Tabulation; Recommendation. Action: Extend contracts with 3M and with Rocal, Inc.

20. Consider extending contract for aluminum sign blanks. Exhibits: Vendor's Mailing List; Bid Tabulation; Recommendation. Action: Extend contract with Rocal, Inc.

21. Consider extending contract to upholster damaged seats. Exhibits: Vendor's Mailing List; Bid Tabulation; Recommendation. Action: Extend contract with L & L Machine Shop.

22. Consider extending contract for sludge lagoon cleaning. Exhibits: Vendor's Mailing List; Bid Tabulation; Recommendation. Action: Extend contract with Jennings Construction, Inc.

23. Consider extending contract for de-icing rock salt. Exhibits: Vendor's Mailing List; Bid Tabulation; Recommendation. Action: Extend contract with Bingham Sand & Gravel.

24. Consider extending contract for saw blades. Exhibits: Vendor's Mailing List; Bid Tabulation; Recommendation. Action: Extend contract with Fitch Industrial.

25. Consider extending contract for pole and pad traffic controller. Exhibits: Vendor's Mailing List; Bid Tabulation; Recommendation. Action: Extend contract with Traffic Signals, Inc.

26. Consider extending contract for pest control services. Exhibits: Vendor's Mailing List; Bid Tabulation; Recommendation. Action: Extend contract with Environmental Pest Control.

27. Consider extending contract for building materials and supplies. Exhibits: Vendor's Mailing List; Recommendation. (Bid tabulation on file in City Clerk's Office) Action: Extend contract with Comanche Lumber Company.

28. Mayor's Appointments. Exhibits: None.

Lawton Arts & Humanities Council: John Morris, Term: 10/27/98 to 6/30/2000; Charlotte Nevaquaya, Term: 10/27/98 to 6/30/2000

Stormwater Drainage Appeal Board: Tom Johnson, Residential/Commercial Developer, Term: 9/9/98 to 9/9/2000; Karol Zea, Financial/Real Estate/Insurance/Appraiser, Term: 9/9/98 to 9/9/2000

Lawton Human Rights & Relations Commission: Jerry Don Cox, White Rep., Term: 10/27/98 to 9/30/2000; Bill Mathis, White Rep., Term: 10/27/98 to 9/30/2000; Ms. Bobby Whitson, Hispanic Rep., Term: 9/30/98 to 9/30/2000

Lawton Housing Authority: Steve Newcombe, Term: 10/27/98 to 10/27/2001

29. Consider approval of payroll for the period of October 19 through November 1, 1998. Exhibits: None.

Ihler said the Right of Way Agent informed him that GNE, L.L.C. had pulled their agreed settlement amount, so documents

should be accepted only from Kerr and Lawson.

MOVED by Warren, SECOND by Haywood, to approve the Consent Agenda with the exception of Item 13. AYE: Smith, Williams, Sadler, Purcell, Shanklin, Beller, Haywood, Warren. NAY: None. MOTION CARRIED.

13. Consider accepting Permanent Easements from GNE, L.L.C. and Mr. and Mrs. Kerr, and a Warranty Deed from Cecil Lawson for right of way needed for the West 82nd Street Reconstruction Project and authorize payments for same. Exhibits: None.

Vincent said staff recommended approval of Item 13 with the exception of GNE, L.L.C. which had withdrawn their acceptance of the City's offer.

MOVED by Warren, SECOND by Haywood, for approval of Item 13 with the exception of GNE, L.L.C., and to accept documents from Kerr and Lawson. AYE: Williams, Sadler, Purcell, Shanklin, Beller, Haywood, Warren, Smith. NAY: None. MOTION CARRIED.

Mayor Powell recessed the Special City Council meeting at 6:18 p.m., and opened the regular meeting. The Special Meeting reconvened at approximately 6:20 p.m. with roll call indicating all members present.

BUSINESS ITEMS:

30. Pursuant to Section 307B4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss with City Council the suit of Midland Mortgage v. Mary L. Dorsey, et al. Exhibits: None.

31. Pursuant to Section 307B4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the possible settlement of Workers Compensation Case #94-23647 J styled Richard Campbell vs. City of Lawton, and, if necessary, take appropriate action in open session. Exhibits: None.

32. Pursuant to Section 307B4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the post-judgment settlement conference scheduled in the case of Clayton L. Green, Jr. and Russell Lane Green v. Holden Productions, et al., No. CJ-97-356, and take appropriate action in open session. Exhibits: None.

MOVED by Shanklin, SECOND by Warren, to convene in executive session as shown on the agenda and recommended by the legal staff. AYE: Beller, Haywood, Warren, Smith, Williams, Sadler, Purcell, Shanklin. NAY: None. MOTION CARRIED.

The Mayor and Council convened in executive session at 6:21 p.m. and reconvened in special, open session at approximately 6:30 p.m. with roll call reflecting all members present.

Vincent reported the Mayor and Council met in executive session to discuss items listed on the agenda. He said on Item 30, Midland Mortgage v. Dorsey, no action is needed; on Item 31, Campbell v. City, no action is needed. Vincent said on Item 32, Green v. Holden Productions, he would request a motion to appoint G. Wayne Smith to attend the mandated settlement conference on November 6.

MOVED by Warren, SECOND by Haywood, to appoint G. Wayne Smith to attend the settlement conference as requested by the City Attorney. AYE: Warren, Smith, Williams, Sadler, Purcell, Shanklin, Beller, Haywood. NAY: None. MOTION CARRIED.

Vincent said that would conclude his report.

REPORTS: MAYOR/COUNCIL/CITY MANAGER

Smith thanked employees for participating in the blood drive.

There was no further business to consider and the meeting adjourned at 6:33 p.m. upon motion, second and roll call vote.

MINUTES LAWTON CITY COUNCIL REGULAR MEETING OCTOBER 27, 1998 - 6:00 P.M. WAYNE GILLEY CITY HALL COUNCIL CHAMBER

Mayor Cecil E. Powell, Also Present:
Presiding Bill Baker, Acting City Manager
 John Vincent, City Attorney
 Brenda Smith, City Clerk

The meeting was called to order at 6:18 p.m. by Mayor Powell. Notice of meeting and agenda were posted on the City Hall notice board as required by State Law.

ROLL CALL

PRESENT: G. Wayne Smith, Ward One
Richard Williams, Ward Two
Jeff Sadler, Ward Three
John Purcell, Ward Four
Robert Shanklin, Ward Five
Charles Beller, Ward Six
Stanley Haywood, Ward Seven
Randy Warren, Ward Eight

ABSENT: None.

AUDIENCE PARTICIPATION: Anyone having an item of business to present to the City Council that does not appear on the agenda, please come forward at this time.

Mike Red Elk, New Rock Church, said a local businessman had donated two properties, 1403 and 1405 Dearborn, to their church. The pastor previously requested a resolution to demolish the structures, but it appears that two of the structures could be brought up to a habitable state. He asked that Council consider amending the resolution passed two weeks ago to allow them to demolish all but two of the structures and to bring those two up to a habitable state.

Vincent said a resolution was approved at the last Council meeting amending four previously adopted resolutions to demolish four structures at 1403, 1403-1/2, 1405 and 1405-1/2 NW Dearborn. He said staff could be directed to return an item at the next meeting. Shanklin suggested that be done.

REPORTS: MAYOR/COUNCIL/CITY MANAGER: None.

There was no further business and the meeting adjourned at 6:20 p.m. upon motion, second and roll call vote.